

1895-012
Lee Co.

Chancery Causes:

Bamberger Bloom & Co] vs J. F. Howard &

Bloom, Bamberger, J. W. Howard & Co], Jones. Wilson

CA-Debt

T-Property

"Affidavit."

Virginia: Lee County to-wit:

I, A. B. Munsey, Clerk of Lee County Circuit Court do Certify that M. H. Ely, Attorney and

~~Agents for~~ ^{Agents for} ~~Rosina Bloom, Exrs of N. Bloom & Pauline Bamberger, Levi J. Bam-~~
~~berger, E. S. Bamberger, J. W. Bamberger, Exrs & Exrs of J. H. Bamberger, &~~
~~Levi Bamberger, Julius Bamberger & Levi Bloom,~~ Merchants

and partners doing business under the firm name and style of "Bamberger, Bloom and Company," plaintiffs, in a certain Chancery Cause pending in the Lee County Circuit Court against J. F. How-

ard, and Elaud Howard and J. H. Howard, Mer-
chants and partners doing business under the firm name and style of "J. W. Howard & Co.,"

and Rebecca W. Howard, wife of J. F. Howard, defendants, made oath before me in my Office,

that ~~he~~ ~~believes~~ ~~to the best of his information and~~
believes that said J. F. Howard is justly indebted

to R. Bloom, Exrs of N. Bloom & P. Bamberger, L. J. Bamberger, E. S. Bamberger &
J. W. Bamberger, Exrs & Exrs of J. H. Bamberger, & L. Bamberger & Julius
Bamberger & Levi Bloom, Merchants

and partners doing business under the firm name and style of "Bamberger, Bloom & Co." in the sum of \$274.50, with interest

thereon from the 7th day of August, 1894, till paid, and that said plaintiffs have cause

of action upon said debt, and that said affi-
ant believes that said debt is just, due,

and unpaid, and that said affiant believes that said J. F. Howard has fraudulently aspi-

gued a certain stock of goods, wares and merchandise, and a soda fountain, at Olinger,

Lee County, Va, in a store house known as the Y. B. Thompson house to the said J. F. How-

ard and Elaud Howard, Merchants and

parties as aforesaid with intent to hinder
and delay and defraud his Creditors,
and that the said assignees are aiding
in said fraud; And that said affiant
further believes that J. F. Howard has
fraudulently conveyed one certain lot or
parcel of land lying in the town of Otinger,
Lee County, Va, to his wife Rebecca W. Howard
for the purpose, and with the intent to hinder
delay and defraud his Creditors; and that said
affiant believes that said J. F. Howard has
converted the aforesaid stock of goods, wares
and Merchandise, and real estate into
money, securities or evidences of debt with
intent to hinder, delay and defraud his
Creditors; And that J. F. Howard, Rebecca W.
Howard and Iland Howard are now residents
of the State of Virginia. Given under my
hand, this the 19th day of November, 1894.

A. B. Munsey Clerk

'Bill'

To the Hon. W. J. Miller, Judge of the Circuit Court
of Lee County, Va.

Your Orators & Oratrices, R. Bloom, Exrx of N. Bloom, dec'd, ~~T. Bamberger~~,
L. J. Bamberger, C. S. Bamberger & J. L. Bamberger, Exrx & Exrxs of J. F. Bamberger,
dec'd, & L. Bamberger, Julius Bamberger & L. Bloom, Merchants
and partners doing business under the firm name
and style of Bamberger, Bloom & Co., humbly Com-
plaining, sheweth unto your Honor, that J. F. Howard
was justly indebted to your orators on
the 7th day of August 1894 in the sum of \$274⁵⁶
for goods, wares, and Merchandise theretofore
sold by the Complainants and delivered to him
at his special instance and request; that
a stated and proved account of said goods,
wares and Merchandise is heretofore marked
"A" and is prayed to be taken and considered
as a part of this bill; that no part of said
sum of money has ever been paid to your
orators or to any person authorized to receive
the same but that the same is not paid
and that the same is now due and
payable; that J. F. Howard has assigned to
J. M. Howard and Leland Howard, Merchants and
partners doing business under the firm name
of J. M. Howard & Co., a stock of goods, wares and
Merchandise, and a soda fountain, at Clincher,
Lee County, Va. with intent to hinder, delay
and defraud his creditors; that the said J. M.
Howard and Leland Howard, Merchants and
partners doing business under the firm name
of J. M. Howard & Co. have colluded with the said
J. F. Howard for the purpose of aiding him to
cheat, defraud, and hinder the creditors of

That J. F. Howard, J. L. Howard & Ieland executed a deed of trust to Lie Jones, Trustee on the part of H. D. Wilson on the day of 1894 with the intent to defraud, delay & deprive the creditors of J. F. Howard, which trust died. A copy is here filed & marked "C" it is proposed to be taken as part of this bill.

1 said J. F. Howard in the Collection of their
2 debts; that J. W. Howard had have not paid
3 a valuable Consideration for said goods or
4 for any part of them; that the said J. F. Howard
5 conveyed to his wife, Rebecca W. Howard, a
6 certain lot in the town of Olney, Va. on
7 the day of 1894, without valuable
8 Consideration and with the intent of defrauding,
9 Cheating, and Delaying his Creditors in
10 the Collection of their debts; that the said
11 Rebecca W. Howard accepted said fraud-
12 ulent deed with the sole purpose of aiding
13 her said husband to defraud his Creditors,
14 which deed is here filed Marked "B" and
15 is prayed to be taken and considered as
16 part of this bill; //

Your Orators now represent that J. F. Howard has no other property in this County and State out of which they can make their debt; And that J. F. Howard, ~~Dec~~^{to} Ca Howard and Island Howard are now residents of the State of Virginia.

The premises considered and your orators being
without remedy at law, they pray that J. F. Howard,
Rebecca W. Howard, and, J. W. Howard and ~~and~~
Island Howard, Merchants and partners under
^{of J. F. Howard & Co. & H. F. & J. W. Howard}
the firm name of J. W. Howard & Co, be made
parties defendant to this bill and that they be
required to answer the same but not upon
oath that being waived; that the said deed to
Rebecca W. Howard be set aside and that
said lot of land be subjected to the payment

5/ of your orators said debt; that said assign-
ment to J. M. Howard & Co. be cancelled; that
the said deed of trust executed to Lee Jones
Trustee for the use of H. S. Wilson be set aside
and declared null and void as to the
creditors of J. F. Howard; that process of
Attachment issue against said goods and
lot and that general relief be granted; that
the Commonwealth's writ of Habeas Corpus
directed &c. and as in duty bound your
Orator will ever pray.

Orr, Ely & Orr

Sols.

Virginia: Lee County, to-wit:

J. A. B. Munsey, Clerk of the Circuit Court of
Lee County, Va, do Certify that M. H. Ely appeared
before me in my Office, and made oath that
the matters and things in the foregoing
bill are true. Given under my hand
this the 19th day of November, 1894.

Clerk

Baugh, Bloom & Co } 34
vs } Bill in Chy
J. F. Howard et al

1894 2nd December Rules bill
filed & Contd for order
of Publication

1895 1st January Rules Contd
" 2nd " " order pub
Completed & Cause set for
hearing.

" March term Contd

" June Term Decree final
See Chy order Book
Page 213

Peff Costs

£ 4.0s

Printer 6.00

\$10.0s

J. A. Cuning } attys
Orr, Cely & Orr }

CLERK'S RECEIPT.

No. **66**

SUITS.

Plaintiff *Brynberger Bloom & Co*

Defendant *J. F. Howard et al*

Date *December the 18th 1894*

Amount of tax, - - - - \$ *1.50*

Common law

Chancery *Chey*

Received (date) *December the 18th 1894*

A. B. Munsey

Clerk.

AFFIDAVIT ON WRITTEN NOTES OR ACCOUNTS.

Printed and for sale by Maxwell & Co., Louisville, Ky.

[If Open Account fill up both forms, If Written Contract only this one.]

STATE OF KENTUCKY,

County of Jefferson } Sct.

In the matter of account due Bamberger Brothers
 from the estate of J F Howard ~~deceased or assigned~~ ⁽¹⁾:

This day came Julius Bamberger who being first
 duly sworn, deposes and says he is one of said creditor firm ⁽²⁾

Bamberger Brothers and that the
account hereto attached against the estate of J F Howard
 for Prokin M. Ozerentz firm 57 Dollars
 is a just demand and has never been paid; and that there is no offset or discount
 against the same, or any usury therein.

⁽³⁾ And this affiant further states that the account herein claimed is due for the articles
 mentioned therein, and that the same were sold and delivered by said claimant to the
 said J F Howard
 at his special instance and request and that he promised to pay the sums
 therein charged.

Subscribed and sworn to before me by Julius Bamberger
 this 9th day of Nov 189 4

My commission expires Mar 18 189 6 Fred Knefler

(1) As case may be. (2) If a Corporation, that he is President or Secretary, adding on blank line below under the laws of what State it is organized. (3) If the claim
 is other than an open account erase this entire paragraph.

STATE OF KENTUCKY, }
County of _____ } *Sct.*

In the matter of the account due _____
from the estate of _____ deceased, or assigned^():*
This day came _____ a witness for said claimant,
who being first sworn, deposes and says that he has examined the account hereto
attached, which is for _____ Dollars.
and that he knows that the article mentioned in said account, or services rendered,^()*
_____ sold and delivered or performed^() by the said claimant to the said*
_____, that he knows the value of same and
that the charges are reasonable, that he has no interest therein, and said account is
correct.

Subscribed and sworn to before me by _____

this _____ day of _____ 189

(*) As case may be.

Folio

740

Statement.

Louisville, Ky. Nov 8 1894

Mr J F Howard

Olinger Va

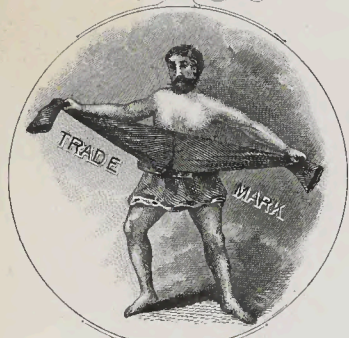
TO

Bamberger, Bloom & Co.

1894

| | | | | | |
|----------------|---|--------|-----------|-----|----|
| March | 7 | To mdr | bods | 147 | 54 |
| " | " | " | bo " | 57 | 83 |
| April | 7 | " | bo " | 43 | 58 |
| " | " | " | 4 mdr | 8 | 15 |
| " | " | " | 49.6 bods | 11 | |
| | | | | 268 | 10 |
| Interest @ 6%. | | | | 6 | 46 |
| | | | | 274 | 56 |

MANUFACTURERS
OF



THE CELEBRATED
"HERCULES PANTS"

Salesman order

Salesbook 4 Folio 153

Mr. J. F. Howard
Oliver

Bought of Bamberger, Bloom & Co.

Louisville, Ky. April 7 1894

60% 100% 40% 60 Days.

900 1/2 jeans Pants

12

11 00

Duplicate

EXPRESS CHARGES ON REMITTANCES MUST BE PRE-PAID.
INTEREST CHARGED ON ALL BILLS AFTER MATURITY.

NOT RESPONSIBLE FOR ANY GOODS PACKED IN TRUNKS.
ADDRESS ALL BUSINESS COMMUNICATIONS TO THE FIRM.

Salesman _____

Salesbook _____ Fol. _____



Mr. J. F. Howard

Bought of Bamberger, Bloom & Co.

Terms, 4 Months or 6 to 10 Days. Louisville, Ky. Apr. 7 1894

| | | | | | | |
|-----|---|--------------|--|----|--|-----|
| | 1 | Rem Holders | | | | 75 |
| 600 | 6 | Banjo String | | 15 | | 90 |
| 701 | 1 | Gloves | | | | 125 |
| 606 | 1 | " | | | | 2 |
| C | 1 | Over Shirts | | | | 325 |
| | | duplicate, | | | | 815 |

EXPRESS CHARGES ON REMITTANCES MUST BE PRE-PAID.
INTEREST CHARGED ON ALL BILLS AFTER MATURITY.

NOT RESPONSIBLE FOR ANY GOODS PACKED IN TRUNKS.
ADDRESS ALL BUSINESS COMMUNICATIONS TO THE FIRM.

Wholesale Dry Goods Co. Louisville.

Salesman *Wm. McF.*

Salesbook *150* Fol. *467*



Mr. L. F. Howard
Oliver
Bought of Samberger, Bloom & Co.
Louisville, Ky. Apr. 7 1894

Terms, 10 Days or 2 to 10 Days.

| | | | | | |
|------------|----------|--------------------------|------------|----------|-------------|
| <i>500</i> | <i>3</i> | <i>Bound. Cott. Yarn</i> | <i>60</i> | <i>7</i> | <i>420</i> |
| <i>400</i> | <i>3</i> | <i>"</i> | <i>60</i> | <i>8</i> | <i>510</i> |
| | <i>2</i> | <i>all fancy P's.</i> | <i>106</i> | <i>2</i> | <i>506</i> |
| | <i>2</i> | <i>me</i> | <i>101</i> | <i>1</i> | <i>456</i> |
| | <i>8</i> | <i>ky. Plaid</i> | <i>482</i> | <i>1</i> | <i>2291</i> |
| <i>5/4</i> | <i>1</i> | <i>oil. cloth</i> | | <i>4</i> | <i>175</i> |
| | | <i>duplicate</i> | | | <i>4358</i> |

EXPRESS CHARGES ON REMITTANCES MUST BE PRE-PAID.
INTEREST CHARGED ON ALL BILLS AFTER MATURITY.

NOT RESPONSIBLE FOR ANY GOODS PACKED IN TRUNKS.
ADDRESS ALL BUSINESS COMMUNICATIONS TO THE FIRM.

Salesman

Salesbook

149

Fol.

42

Order
Mr. J. F. Howard.

Olinger



Bought of Bamberger, Bloom & Co.
Louisville, Ky. Mch 7. 1894

Terms, 10 Days or 2% 10 Days.

| | | | | | | |
|-----|----|---------------|------|----|----|----|
| Job | 6 | Pert Fry pt. | 271' | 4" | 12 | 21 |
| | 4 | Gephys " | 204' | 5" | 11 | 23 |
| | 6 | Simpson " | 298' | 5" | 16 | 43 |
| | 4 | Haus Red " | 205' | 5" | 11 | 31 |
| | 4 | Allen pink | 208' | 6 | 12 | 51 |
| | 6 | Old By Plaid | 362' | 4" | 17 | 23 |
| B | 1 | Thorndyk Huck | 602' | 8 | 4 | 44 |
| XX | 1 | Standard " | 642' | 7 | 4 | 52 |
| Wd | 1 | Cardis 2H. | 57 | 12 | 7 | 19 |
| aa | 2 | Colterill | 106 | 6 | 6 | 36 |
| | 4 | Old By Bro. | 202' | 3" | 7 | 58 |
| 4/4 | 10 | Brown " | 522' | 5 | 27 | 43 |
| 2 | 2 | B. Butts | 100 | 8 | 8 | |
| | 2 | Riddle Cotton | | 35 | | 70 |

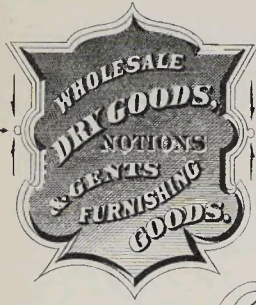
147 54

Duplicate

EXPRESS CHARGES ON REMITTANCES MUST BE PRE-PAID.
INTEREST CHARGED ON ALL BILLS AFTER MATURITY.

NOT RESPONSIBLE FOR ANY GOODS PACKED IN TRUNKS.
ADDRESS ALL BUSINESS COMMUNICATIONS TO THE FIRM.

Salesman Wm. J. L. L.
Salesbook 150 Fol. 376



Wm. J. L. L.
Olinger
Bought of W. Damberger, Bloom & Co.
Net 60 Days
Terms
Louisville, Ky. March 27 1894

| | | | | | |
|------|---|--------------------|------------------|-----------------|------|
| | 1 | Pof L Bleach | 64 | 5 | 320 |
| | 1 | Wool | 50 ² | 7 | 354 |
| X | 1 | Chap. W. B. " | 59 | 6 | 354 |
| | 1 | Red Cambric | 52 ² | 3 ³ | 196 |
| 94 | 1 | Ham. Cashmere | 52 | 10 ² | 546 |
| 3/4 | 1 | Leetree | 50 ³ | 7 ³ | 375 |
| | 2 | Wool. Lawn | 105 ³ | 3 ³ | 399 |
| Wh. | 4 | Pidd. Knitt Cotton | | 35 | 140 |
| 28 | 1 | Velvet | 41 ³ | 35 ² | 1462 |
| | 1 | Marinook | 25 | 6 | 163 |
| 30 | 1 | Ind. Linen | 24 | 6 ² | 156 |
| | 3 | Spools | | 45 | 135 |
| 500 | 1 | Hose | | | 120 |
| | 1 | Silk H'dkfs. | | | 2 |
| 1125 | 1 | Ties | | | 2 |
| 1218 | 1 | Hose | | | 150 |
| 90 | 1 | Brace Buttons | | | 1 |
| | 1 | " " | | | 75 |
| | 1 | 34 in. Trunk | | 325 | 325 |
| | | Canvass one " | | | 15 |
| | | Duplicate | | | 5783 |

Bamberger Bloom & Co., }
vs. } & Chy.
J. F. Howard et al }

This day came again the defendants by their attorney and moved the Court to dismiss this cause on the ground that no bond for security for costs has been given pursuant to the order entered herein on the 7th day of March 1895. And it appearing to the Court that no such bond has been given, it is ordered that this cause be & the same is hereby dismissed.

Baumbarger Bloom & Co

2 { Deceit

J. F. Howard et al

Entered in
Chancery Order
Book 1
Page 213

Enter this

W J M

June 11th 1895

O. C. M. & Oly attys

Virginian,
Print,
Jonesville, Va

Form No. 302.

Virginia;

In the Clerk's Office of the Circuit Court of the County of

Bamberger, Blount & Co

Plaintiff's

against

J. F. Howard et al

Defendant's

In Chancery

This day

M. H. Cely

personally appeared

before me

A. B. Munsey

Clerk of the said Court,

and being duly sworn, made oath that

J. F. Howard, Rebecca W. Howard
and Elaud Howard

defendant's in the said suit are not resident's of the State of Virginia,

Given under my hand as Clerk of the said Court, this

18th

day of

~~November~~ December

1894

A. B. Munsey Clerk

Bamberger, Bloom & Co

vs. } AFFIDAVIT FOR ORDER
OF
PUBLICATION.

J. F. Howard et al

Orr, Ely & Orr p. q.

Filed December the
18th 1894
A. B. Munsey
Clerk

CERTIFICATE OF ORDER OF PUBLICATION.

We, A. M. Goins and W. H. Eads,
editors of the SOUTHWEST VIRGINIAN,
a weekly newspaper published at
Jonesville, Lee county, Virginia, do
hereby certify that the annexed no-
tice was published in said paper
once a week for four successive
weeks, commencing on the 20

day of Dec 1894.

A. M. Goins
W. H. Eads } Editors.

VIRGINIA:—In the Clerk's Office of
the Circuit Court of the County of Lee
on the 18th day of December 1894.

Baumgardner, Bloomer & Co.,
Plaintiffs.

against
J. F. Howard et als, Defendants.

In Chancery.

The object of this suit is to attach the
real and personal estate of J. F. Howard
situate in the above county and state; and
to set aside a deed of conveyance made by
said Howard to Rebecca Howard. Also,
to set aside a deed of trust made by him to
Lee Jones for the benefit of H. D. Wilson
and to recover \$274.56 with interest from
December 18th, 1894, till paid and the costs
of this suit.

And an affidavit having been made and
filed that the defendants J. F. Howard,
Rebecca W. Howard and Claud Howard
are not residents of the State of Virginia,
it is ordered that they do appear here,
within 15 days after due publication hereof
and do what may be necessary to protect
their interest in this suit. And it is further
ordered that a copy hereof be published
once a week for four weeks in The South-
west Virginian, and that a copy be posted
at the front door of the court-house of this
county on the first day of the next term of
the county court. A copy—Teste:

A. B. MUNSEY, Clerk.

Orr, Ely & Orr, and Geo. A. Ewing, p q.
d20 4w

Charges \$6.00